



Thursday, December 14, 2006

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**Zoning and Neighborhood Plan Amendments  
(Public Hearings and Possible Action)  
RECOMMENDATION FOR COUNCIL ACTION**

**ITEM No. 66**

**Subject:** C14-06-0173 - Kaleidoscope - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6400 FM 969 (Walnut Creek Watershed) from general office-neighborhood plan (GO-NP) combining district zoning to general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Staff Recommendation: To grant general office-neighborhood plan (GO-NP) combining district zoning. Planning Commission Recommendation: To grant general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Applicant: 1825 Fortview Inc (Jimmy Nassour, Agent, Rivera Engineering (Mike Rivera). City Staff: Robert Heil, 974-2330.

**Additional Backup Material**

(click to open)

**Staff Report and Ordinance**

**For More Information:**

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-06-0173 Kaleidoscope      **PC DATE:** October 24, 2006

**ADDRESS:** 6400 FM 969 Road

**OWNER/APPLICANT:** Austin 1825 Fortview Inc. (Jimmy Nassour)

**AGENT:** Rivera Engineering (Mike Rivera)

**ZONING FROM:** GO-NP      **TO:** GO-MU-NP      **AREA:** 306 acres

**SUMMARY STAFF RECOMMENDATION:**

Staff's alternate recommendation is SF-6-NP

**PLANNING COMMISSION RECOMMENDATION:**

October 24, 2006: Approved GO-MU-NP (8-0)

**DEPARTMENT COMMENTS:**

It is the stated intent of the applicant to develop the site in conjunction with the SF-6-NP to the north. As such, SF-6-NP zoning would be the most appropriate.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	GO-NP	Undeveloped
<i>North</i>	SF-6-NP	Underdevelopment for residential
<i>South</i>	GO-NP	Office
<i>East</i>	LI-PDA-NP	Undeveloped
<i>West</i>	LR-NP	

**AREA STUDY:** MLK-183 Neighborhood Plan.      **TIA:** Not required.

**WATERSHED:** Walnut Creek      **DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No      **HILL COUNTRY ROADWAY:** No.

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
FM 969	110'	50'	Arterial	Yes	Yes	No

**CITY COUNCIL DATE:**

November 30, 2006.

December 16, 2006

**ACTION:**

Postponed by staff to 12/16/06

**ORDINANCE READINGS:**

1<sup>st</sup>

2<sup>nd</sup>

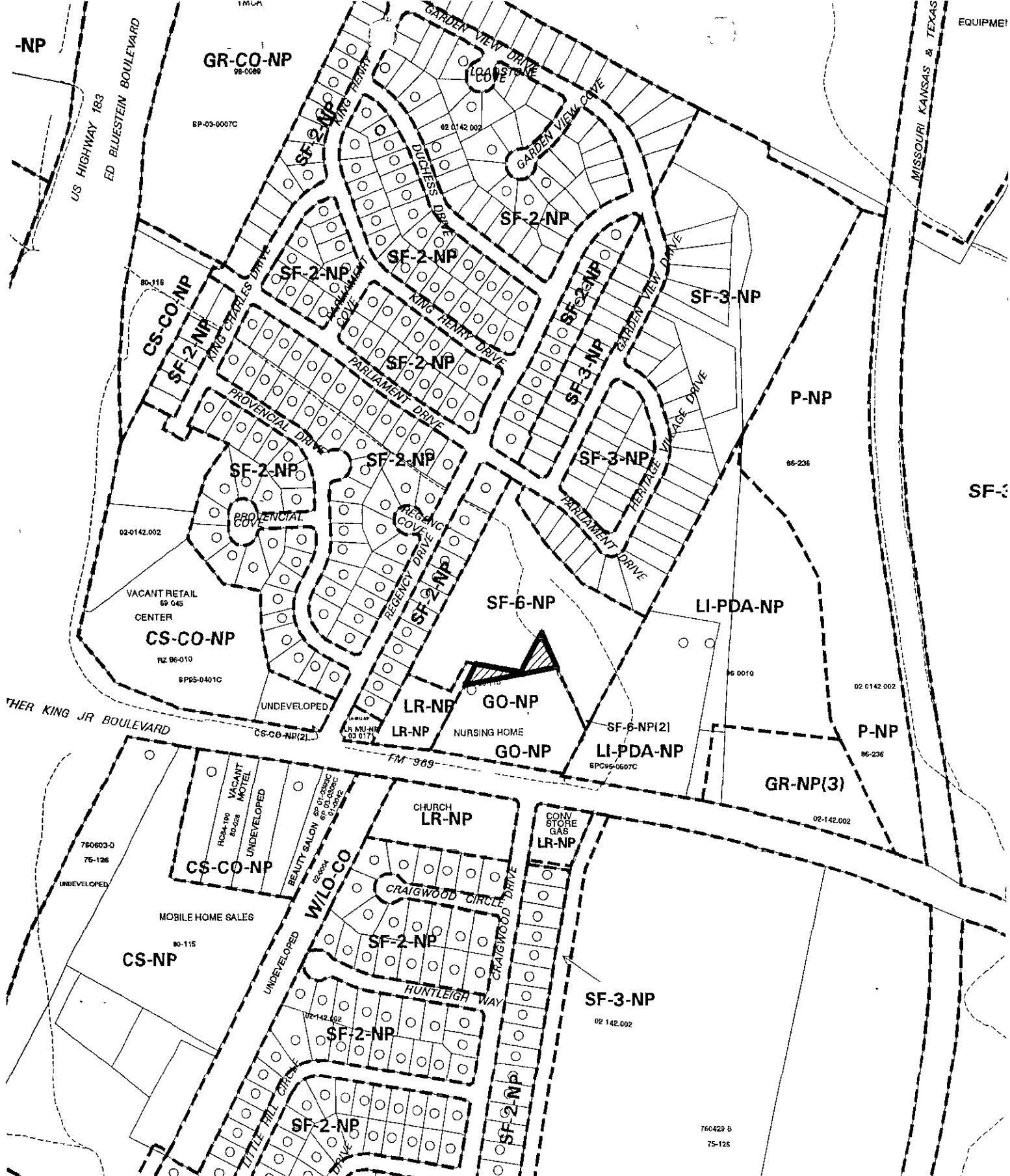
3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Robert Heil

**PHONE:** 974-2330

**EMAIL:** Robert.Heil@ci.austin.tx us



 1" = 400'	SUBJECT TRACT	<b>ZONING</b>  CASE #: C14-06-0173 ADDRESS 6400 FM 969 RD SUBJECT AREA (acres) 0.306	DATE 06-09  INTLS SM	CITY GRID REFERENCE NUMBER  N24
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR R HEIL			

## STAFF RECOMMENDATION

Staff's alternate recommendation is SF-6-NP

## BASIS FOR RECOMMENDATION

It is the stated intent of the applicant to develop the site in conjunction with the SF-6-NP to the north. As such, SF-6-NP zoning would be the most appropriate.

### Transportation

No additional right-of-way is needed at this time. Additional right-of-way may be required at the time of subdivision or site plan.

The trip generation under the requested zoning is estimated to be 330 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

### Existing Street Characteristics

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
FM 969	110'	50'	Arterial	Yes	Yes	No

### Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements

### **Water and Wastewater**

WW 1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, system upgrades, utility adjustments, and utility relocation. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay all associated City fee.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6400 F.M. 969 ROAD IN THE MLK-183 NEIGHBORHOOD PLAN AREA FROM GENERAL OFFICE (GO) DISTRICT TO GENERAL OFFICE-MIXED USE-NEIGHBORHOOD PLAN (GO-MU-NP) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general office (GO) district to general office-mixed use-neighborhood plan (GO-MU-NP) combining district on the property described in Zoning Case No. C14-06-0173, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.306 acre tract of land, more or less, out of the J.C. Tannehill League, Survey No. 29, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 6400 F.M. 969 Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The Property is subject to Ordinance No. 021107-Z-12b that established the MLK-183 neighborhood plan combining district.

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2006.

**PASSED AND APPROVED**

\_\_\_\_\_, 2006      §  
   §  
   §

Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_

David Allan Smith  
City Attorney

Shirley A. Gentry  
City Clerk

## EXHIBIT "A"

**FIELD NOTES** describing 0.306 acres of land out of and a part of the J.C. Tannehill League, Survey No. 29, situated in Travis County, Texas, said 0.306 acre tract being more particular described as being a portion of Lot 1, Block A, Resubdivision of Stone Ridge Section 1, recorded in Book 98, Page 137, Plat Records of Travis County, Texas, said 0.306 tract being more particularly described by metes and bounds as follows:

**BEGINNING** at an iron rod found at the most Northerly corner of Lot 1, Block A, Resubdivision of Stone Ridge Section One, a subdivision in Travis County, Texas, recorded in Book 98, Page 137 of the Travis County Plat Records, same being an interior corner of a 5.231 acre tract conveyed to The Trust for Public Land recorded in Document # 2000031173, Official Records of Travis County, Texas;


**THENCE** along the Easterly line of said Lot 1, Block A, same being the most Southerly East line of said 5.231 acre tract, S 25 degrees 27 minutes 26 seconds E, a distance of 122.03 feet to an 5/8" iron rod set with cap marked "WEBB-4125" for the most Easterly corner hereof,

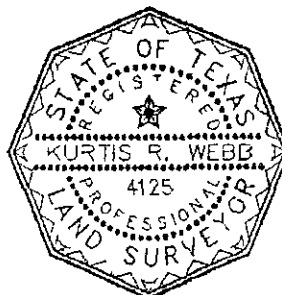
**THENCE** through the interior of said Lot 1, Block A, N 79 degrees 09 minutes 09 seconds W, a distance of 307.19 feet to an 5/8" iron rod set with cap marked "WEBB-4125" in the West line of said Lot 1, Block A, same being in the East line of a 1.019 acre tract of land recorded in Volume 10781, Page 1227, for the Southwest corner hereof;

**THENCE** along the West line of said Lot 1, Block A, same being the East line of said 1.019 acre tract, N 27 degrees 43 minutes 48 seconds E, a distance of 75.17 feet to an iron rod found for the Northwest corner of said Lot 1, Block A, same being the Northeast corner of said 1.019 acre tract of land, also being the Northwest corner of said Lot 1, Block A, and being an interior line of said 5.231 acre tract, for the Northwest corner hereof,

**THENCE** along the Northerly line of said Lot 1, Block A, same being the Southerly line of said 5.231 acre tract the following two (2) courses:

1. S 80 degrees 28 minutes 52 seconds E a distance of 149.90 feet to an iron rod found at an angle point in the North line of said Lot 1, Block A;
2. N 27 degrees 45 minutes 10 seconds E a distance of 142.65 feet to the **POINT OF BEGINNING** and containing 0.306 acres of land, more or less

  
Kurtis R. Webb  
R P L S # 4125  
July 30, 2006





# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

CAVALIER PARK  
SECTION ONE, BK. 4 PG 16  
P.R.T.C.T

G.C. MONROE III  
1.019 ACRE  
VOL 10781, PG. 1227  
R.P.R.T.C.T

5.231 ACRES  
THE TRUST FOR  
PUBLIC LAND  
DOC# 2000031173

REMAINDER OF  
LOT 1, BLOCK A  
RESUBDIVISION OF  
STONE RIDGE, SECTION 1  
BK 98 PG. 137  
P.R.T.C.T.

F.M. ROAD 969

75.17'  
N 27°43'48"E

S 27°43'48"W 240.56'  
FENCE LINE

S 80°28'52"E 149.90'

N 79°09'09"W 307.19'

N 27°45'10"E 142.65' P.O.B.

S 25°27'26"E 122.03'

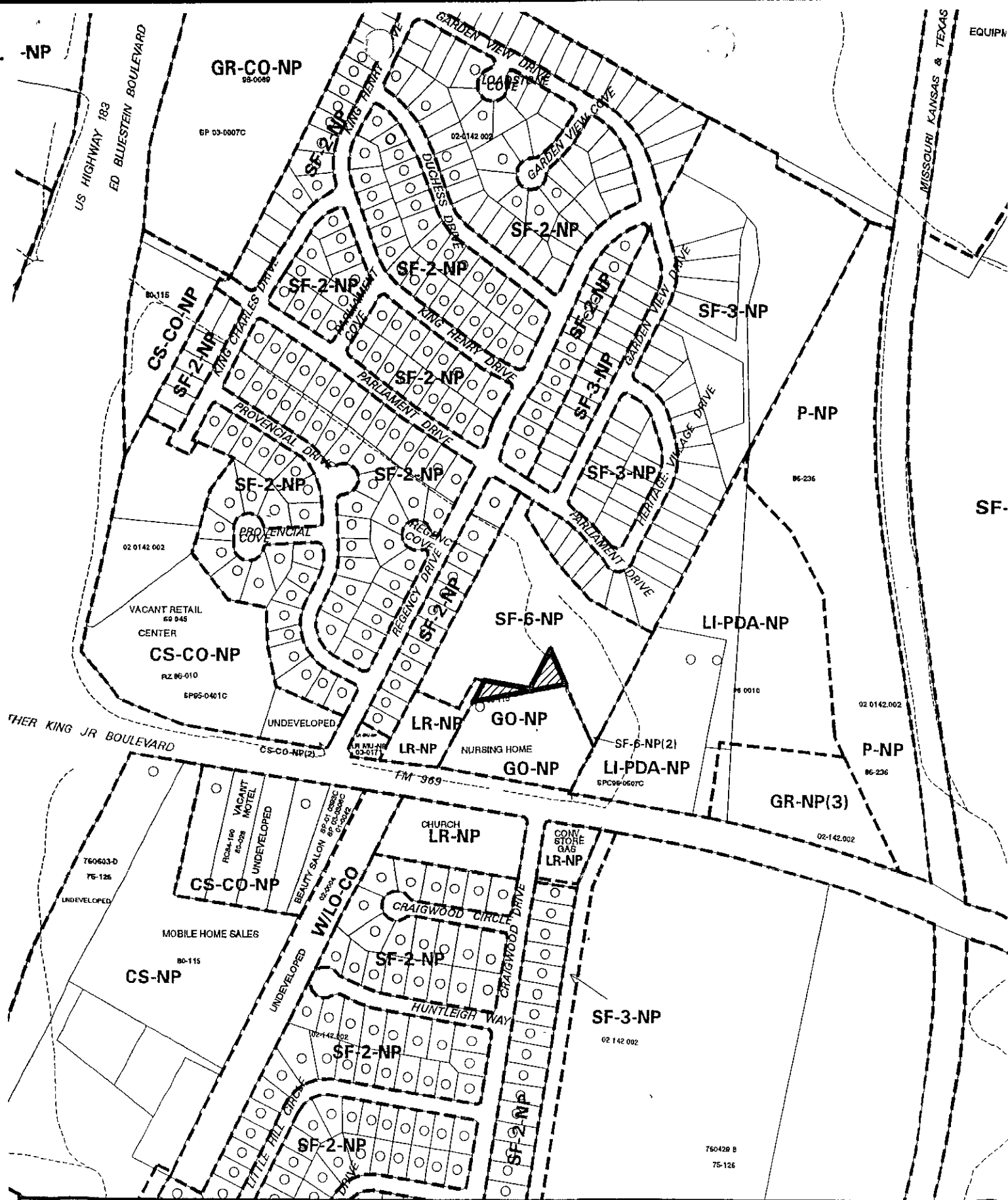
N 25°27'26"W 224.88'

## LEGEND

- IRON ROD FOUND
- IRON ROD SET

0.306 acres of land out of and a part of the J.C. Tannehill League, Survey No. 29, situated in Travis County, Texas, said 0.306 acre tract being more particular described as being a portion of Lot 1, Block A, Resubdivision of Stone Ridge Section 1, recorded in Book 98, Page 137, Plat Records of Travis County, Texas

SCALE - 1" = 100'



 1" = 400'	SUBJECT TRACT		<b>ZONING EXHIBIT B</b>  CASE # C14-06-0173 ADDRESS 6400 FM 969 RD SUBJECT AREA (acres) 0.306	DATE 06-09  INTLS SM	CITY GRID REFERENCE NUMBER  N24
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR R HEIL				